

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CATHALENE JOHNSON,	:	CIVIL ACTION NO. 1:12-CV-444
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
FEDERAL EXPRESS	:	
CORPORATION,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 16th day of December, 2013, upon consideration of plaintiff Cathalene Johnson's appeal (Doc. 46) from Magistrate Judge Susan Schwab's order (Doc. 43) dated April 25, 2013, granting in part and denying in part Johnson's motion to compel discovery (Doc. 39) and motion to supplement the motion to compel discovery (Doc. 40), in which Johnson sought more complete answers to certain Requests for Admissions, as well as sanctions for failure to prepare and improper limitations on corporate-designee depositions under Federal Rule of Civil Procedure 30(b)(6), and it appearing that a magistrate judge has wide discretion in addressing non-dispositive motions, see Walsh v. Krantz, No. 1:07-CV-0616, 2009 WL 321585, at *1 (M.D. Pa. Feb. 9, 2009) (internal citation omitted), and that a district court judge may reconsider any motion decided by a magistrate judge "where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law," 28 U.S.C. § 636(b)(1)(A); see also FED. R. CIV. P. 72(a), and it further appearing that a plaintiff "bears a heavy burden" in attempting to overturn a

magistrate judge's discovery order, Walsh, 2009 WL 321585, at *1; see Deen-Mitchell v. Bledsoe, No. 1:10-CV-2238, 2011 U.S. Dist. LEXIS 68555, at *2 (M.D. Pa. June 27, 2011) (affirming magistrate judge's order when plaintiff "merely reiterates the arguments put forth in his original motion"), and upon a review of the record, the court finding that Magistrate Judge Schwab carefully considered arguments from both parties by reviewing the motions at issue, requesting additional briefing on all outstanding discovery issues, and conducting a telephone conference on March 28, 2013, as well as a 2.5-hour in-person discovery conference on April 23, 2013, and the court concluding that Magistrate Judge Schwab's decision was not clearly erroneous or contrary to law, it is hereby ORDERED that Johnson's appeal (Doc. 46) is DENIED and Magistrate Judge Schwab's order (Doc. 43) denying the motions is AFFIRMED.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania